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Minutes of the Regular Meeting
of the
San Luis Obispo County Planning Commission
Thursday, September 22, 2005

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Minutes of the Regular Session of the County Planning Commission held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA, at 8:45 a.m.

PRESENT: Commissioners Bruce Gibson, Sarah Christie, and Chairman Bob Roos.

ABSENT: Commissioners Penny Rappa and Eugene Mehlschau.

STAFF: John Euphrat, Principal Planner, Long Range
Martha Neder, Planner
Julie Eliason, Environmental Specialist
Matt Janssen, Supervising Planner
John Nall, Principal Environmental Specialist
John Hofschroer, Planner, Long Range

OTHERS: Jim Orton, County Counsel
Tim McNulty, County Counsel

The meeting is called to order by Chairman Roos.

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of September 22, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

Speaker	Note
ROLL CALL	
FLAG SALUTE	
PUBLIC COMMENT	
Julie Tacker	Los Osos resident. Discusses a mailer being distributed in Los Osos.
PLANNING STAFF UPDATES	

John Euphrat, staff	Discusses meetings and workshops beginning October 15, 2005 regarding regional issues.
Matt Janssen, staff	Gives information about tentative dates for a PC retreat. States the second PC meeting in November is tentatively scheduled for November 30, 2005.
1. COUNTY OF SAN LUIS OBISPO / NORTH COAST AREA PLAN / County File No. LRP2004-00024	This being the time set for a continued hearing to consider a request by the COUNTY OF SAN LUIS OBISPO TO 1) update and amend the Cambria and San Simeon Acres community plan portions of the NORTH COAST AREA PLAN (Part II of the Land Use Element and Local Coastal Plan, and part of the Circulation Element). The area plan is being updated to reflect current land use, transportation, population, environmental, and economic conditions and community desires within the communities of Cambria and San Simeon Acres. The communities of Cambria and San Simeon Acres are located within the North Coast Planning Area of San Luis Obispo County. This planning area is bounded by the Monterey/San Luis Obispo County Line to the north, Point Estero to the south, and to the east the Coastal Zone boundary below the main ridge or the Santa Lucia Range. The update includes a number of changes to goals, policies, programs, land use categories, combining designations, and planning area standards; 2) amend the Cambria Design Plan by a) revising and moving development standards to the area plan; and b) modifying various guidelines including those related to lighting and the Moonstone Beach Drive streetscape; and 3) amend the Coastal Zone Land Use Ordinance , Title 23 of the San Luis Obispo County Code; Sections 23.05.050 and 23.06.100 regarding water quality and drainage; Section 23.05.062 regarding tree removal; Section 23.07.170 regarding development within or adjacent to environmentally sensitive habitats; and Section 23.07.172 regarding mineral extraction in wetlands. County File No. LRP2004-00024 . Supervisorial District 2. Martha Neder, Project Manager. (RECOMMENDATION: Approve or Continue to October 13, 2005) (180 min.).
Martha Neder, staff	Discusses Chapter 7, Tract 226, land use designations and planning area standards, which will address comment letters she has received.
John Hofschroer, staff	Discusses proposals in past history regarding changing land use ordinance on Tract 226. States the property owners would like to see the land use designation changed to Residential Multi Family.
Commissioner Christie and staff	Discuss environmental issues in this subdivision and development of individual lots.
Commissioner Gibson	Requests clarification on title requirements of the subdivision with staff responding.
Chairman Roos	Requests clarification regarding open space zoning in the subdivision with staff responding. Discusses build out potential in Multi Family and Single Family Residential Land Use Category.
Martha Neder, staff, and Commissioners	Discuss land use categories, development of lots, and neighborhood concerns.

Tim McNulty, County Counsel, and Commissioners	Discuss application for a subdivision of Tract 226, analysis of ownership interests in subdividing, and potential condemnation of lot.
Ann Wyatt, Coast Advisory Counsel	Discusses re-zoning concerns of citizens.
Roland Souci	Cambria resident, discusses a petition regarding re-zoning of tract 226.
Iona Souci	Cambria resident, discusses concerns regarding land use category change on West Lodge Hill.
Commissioner Christie	Requests clarification regarding efforts of purchasing parcels and how many parcels have been purchased with Ms. Souci responding that 6 out of 33 have been purchased. Not working with land trusts, however persuing this avenue. Discusses zoning.
Barbara Shihey	Cambria resident. Discusses tract 226 and concerns regarding traffic, exits on Lodge Hill, and re-zoning of land use category.
Joy Fitzhugh	Discusses consequences of development of Tract 226 and her concern regarding erosion control.
Bob Ripey	Cambria resident. Discusses concerns regarding re-zoning.
John Belsher	Discusses McCloud Way in Tract 226, development plans, and open space in middle of tract.
Chairman Roos	Discusses time line for meeting. Requests staff comment on residential single family land use category proposal.
John Hofschroer, staff	Addresses zoning proposal change in Tract 226.
Commissioner Christie	Requests clarification regarding whether a duplex qualifies as being in the Multi-family Residential category.
Martha Neder, staff	Clarifies multi family zoning, development, and density.
Commissioners Christie, and Gibson	Discuss a development plan.
Commissioner Christie	Discusses Cambria Pines Lodge being called out regarding area standards, land use zoning, increasing density in the residential multi family land use category
Commissioners and staff	Discuss density limitations, resource constraints, service jobs, and affordable housing
Commissioner Gibson	Discusses adding a guideline and conditioning on sites.
Chairman Roos	Discusses constraints on resources, and a density bonus provision.

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Jim Orton, County Counsel and staff	Discusses density bonus program, with staff responding.
John Euphrat, staff	Refers to "Required Findings" as limitations on land use.
Commissioner Christie	Discusses Main Street Residential Multi Family land use category.
Martha Neder, staff	Addresses land use categories used, development, and a language change.
Jim Orton, County Counsel, and Chairman Roos	Discuss standards, applications of such, apartments, condominiums, homeowners' association disputes and litigations.
Commissioners and staff	Discuss affordable housing, limitations on building/developing in Residential Multi-Family land use category, opportunities of owners to subdivide and develop sites, options for zoning, proposed requirements for development, and variances.
TENTATIVE MOTION	To strike part of paragraph on pg 7-60, No. 3. All concur on strikeout.
Commissioners	Discuss Pg. 7-61, Tract 226, Residential Multi-Family land use category, and development plans.
John Euphrat, staff	Discusses veto power, development plans, and consensus of land owners.
Commissioners	Discuss Pg. 7-61, Tract 226, A. 5. Consensus received on adding "or Specific Plan" after 'Development Plan'.
Jim Orton, County Counsel	Requests staff clarify requirements of landowners regarding processing of development plans with staff responding.
Martha Neder, staff	Discusses Pg. 7-62 "Residential Single Family" standards and applications.
Daryl Robinson	President of United Lot Owners of Cambria. Discusses allowable Gross Structural Area (GSA). Requests additional 200 feet, exempt 200 sq. of basement to allow for storage, and consider more options to appropriate TDC's.
Johy Fitzhugh	Discusses Pg. 7-82, 9. B., Parking.
Advisory counsel	Discuss Pg. 7-62, "Primary Dwellings". Requests that 50' setback secondary detached dwelling be allowed. Would like the distinction between secondary dwelling and guest house defined.
Commissioners	Discuss Pg. 7-62 language addition, Pg. 7-63, F. There is consensus to strike the word "and" and replace with the word "to"protect public views from the road."
Commissioners.	Discuss area wide standards regarding Pa. 7-64. 4. "Topographic

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and staff	Standards", visual resource combining designations proposal, goals of view shed protection within the Urban Reserve Lines, levels of standards and protection, and differentiations of such.
Commissioners and staff	Discuss Pg. 7-65, D. 1. Would like the words "where feasible" added to the end of the paragraph.
Mike Goodwin, Public Works, Commissioners and staff	Discuss the words "retain" and "detain" as applied to Pg. 7-65, D. 1, 2, French drains as applied to erosion control devices.
Commissioners and staff	Discuss Pg. 7-69, Gross Structural Area (GSA) as referred to garages, and proposal to allow basements. TDC's discussed, allowances
Anne Wyatt	States there has been discussion regarding footprints allowable for GSA increases.
Commissioners and staff	Discuss Pg. 7-69, tracts addressed in Paragraph 2 as applied to Figure 7-1 on Pg. 7-71.
MOTION	Thereafter on motion by Commissioner Gibson, seconded by Commissioner Christie, and carried, in the absence of Commissioners Rappa and Mehlschau, to continue this item to the September 29, 2005 Planning Commission.
2. GRAY TRUST (MID-STATE PROPERTIES) / S010354U / TRACT 02-2441	This being the time set for a hearing to consider a request by the GRAY TRUST (MID-STATE PROPERTIES) for a Tentative Tract Map and Conditional Use Permit to allow for a planned development to subdivide an approximate 3.8-acre parcel into 39 lots ranging from 2,600 to 5,280 square feet each, and allow for grading and construction of 38 single-family residences, a pocket park, an underground stormwater detention basin, and three on-site streets, which will result in the disturbance of the entire parcel. The project includes the creation of three connected streets and off-site street improvements to Grande Avenue and Blume Street, within the Residential Multi-Family land use category at the northeast corner of Grande Avenue and Blume Street in the community of Nipomo, in the South County (Inland) planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. Mitigation measures are proposed to address agricultural resources, air quality, geology, public services, recreation, transportation/circulation and water supply County File Number: S010354U / TRACT 02-2441. APN: 092-130-049. Supervisorial District: 4. Date Accepted:
James Lopes, staff	Requests continuance to January 12, 2006 PC to address traffic impacts.
Commissioner Christie	Requests clarification regarding reasoning for a request for continuance of this item.
Commissioner Gibson	Requests to hear from the applicant, and the advisory counsel representatives.
Terry Orton, Westland Eng	Clarifies reasoning for a continuance of this project - to address traffic mitigations.

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Mike Goodwin, Public Works	Discusses unresolved traffic issues, and methods to alleviate this issue.
Susan Hermrick	Chairperson for Nipomo Advisory Counsel. Discusses issues addressing zoning changes.
Marianne Buckmeyer	Chairperson to the Traffic and circulation committee. Discusses traffic circulation. States there should be no continuance.
Ed Ebby	States there should be no continuance due to traffic issues.
Jim Lopes, staff	Addresses discussions he has had regarding traffic circulation study. Discusses continuing hearing today regarding the negative declaration.
Commissioner Christie	Requests clarification regarding other development projects in Nipomo that are currently studying traffic mitigation..
Commissioner Gibson	States he is conflicted with the notion of a continuance.
Jim Orton, County Counsel	Clarifies setting fee payment.
John Nall, staff, and Commissioners	Discusses the Board of Supervisors role as approving the revised traffic circulation plan for South county. After approval, the board would consider new fees coinciding revisions to circulation plan. States commission should continue to consider projects from South county with traffic issues.
Kami Griffin, staff	Discusses projects from the south county and obligations to process applications of such. States they are prepared to discuss items regarding the negative declaration.
MOTION	Thereafter on motion by Commissioner Gibson, seconded by Commissioner Christie and carried, with Chairman Roos voting No, in the absence of Commissioners Rappa and Mehlschau, to proceed with project.
James Lopes, staff	Presents staff report.
Commissioner Gibson	Requests clarification on standards regarding open space and the park related to this project, with staff responding.
Chairman Roos	Requests clarification regarding a condition to include a trail.
James Lopes, staff, and Commissioners	Clarifies that County Parks and Recreation rescinded the trail as a requirement. Discuss curb, gutter, and sidewalk, bike lane on Blume Street, and Condition 14.
Kami Griffin, staff	Addresses clarification of Condition 14.
Jim Orton, County Counsel	Requests clarification regarding lot 7 being the open space lot.
James Lopes, staff	States lot 7 is an open space lot.

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Terry Orton, Westland Engineering	Representing applicant. Discusses revisions to site plan.
Ed Ebby	States his opposition to this project and discusses density.
Susan Hermrick	Chairperson of the Nipomo Advisory Counsel. Discusses drainage basin, sidewalks, trails, changes to zoning, and discussions with Commissioner Mehlschau.
Marianne Buckmeyer	Chairperson for the traffic and circulation committee. States opposition to project. States data provided by the county cannot be trusted.
Terry Orton, Westland Engineering	Discusses feasibility of lots less than 6000 feet, and workforce housing as related to this project.
Phil Gray	Trustee of the Gray Trust. Discusses proposal of project, density as a legal issue, requests approval of project.
James Lopes, staff	Addresses comments made by Mr. Gray. Discusses the PC as setting the decision for parcel size, area plan standards.
Chairman Roos	Requests clarification regarding parcel lot size, density, and land use requirements with staff responding.
Commissioner Christie	Discusses 2900-foot public open space parcel, land use ordinance requirements, requirements of private common ownership parcel size.
Jim Orton, County Counsel	Clarifies projects requirements falling under being a Planned Development, which is defined as a common ownership. Discusses parcel size as part of the Conditional Use Permit (CUP) process.
James Lopes, staff	Discusses road ordinance fees as being the method of mitigating traffic issues.
Mike Goodwin, Public Works	Discusses other methods of fee acquisition.
John Nall, staff, and Commissioners	Address revised circulation plan as being the procedure to improve the level of traffic service. Discuss fee adjustments as per the December BOS hearing.
Commissioner Gibson	Discusses planning for traffic, conditioning other projects for traffic improvements, community characteristics of project being inconsistent, and land use ordinance requirements.
Chuck Stevenson, staff	Clarifies comment regarding single-family detached requirement.
Commissioner Christie	Discusses density on lots
Warren Hoag, staff	Provides a future date of October 26, 2005 to hear the revised Findings on the project.

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MOTION	Thereafter on motion by Commissioner Gibson, seconded by Commissioner Christie, and carried, with Chairman Roos voting No, in the absence of Commissioners Rappa and Mehlschau, to continue item until the end of current meeting agenda to come back with written Findings.
3. PULTS & ASSOCIATES / DRC2004-00121	This being the time set for hearing to consider a request by PULTS & ASSOCIATES for a Conditional Use Permit to allow the construction of an 18,502-square foot fitness center. The project will result in the disturbance of approximately 41,849 square feet of a 7.26-acre parcel. The project is within the Office and Professional land use category and is located on the north side of Las Tablas Road, east of Mockingbird Lane, approximately 1,500 feet west of Twin Cities Hospital in the community of Templeton. The site is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq APN: 040-289-036. County File No. DRC2004-00121. Date application accepted: January 7, 2005. Supervisorial District 1
Josh Lebombard, staff	Presents staff report and offers changes to the Templeton Area Design Plan, and parking area standards, which will meet the area design guidelines.
Chairman Roos	Discusses parking lot on the corner, advisory groups decision, and Templeton Area Design Plan # VE13, and landscaping.
Commissioners and staff	Discuss office and professional land use designation
Commissioners, staff, and agent	Fully discuss elimination of a parking space, and mixed use or shared parking use.
MOTION	Thereafter on motion by Commissioner Christie, seconded by Commissioner Gibson to adopt the Negative Declaration prepared for the item pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. and RESOLUTION NO. 2005-047 granting a Conditional Use Permit to PULTS & ASSOCIATES for the above referenced project, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B as amended, adopted.
4. DONNA GROSSNICKLAUS / SUB2004-00064 / Tract 00-2629	This being the time set for hearing to consider a request by DONNA GROSSNICKLAUS for a Vesting Tentative Tract Map to subdivide an existing 12.52-acre parcel into two parcels of 5.0 and 7.52 acres each for the purpose of sale and/or development. A single-family residence, barn, sheds, and associated improvements are located on proposed Parcel 1. A paved driveway and proposed 30 foot access easement is located on Parcel 2. The project will result in the estimated disturbance of 20,000 square feet. The division will not create any on site roads. The proposed project is within the Residential Rural land use category and is located at 1375 Nacimiento Lake Drive, approximately two miles northwest of the City of Paso Robles, in the Adelaida planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared pursuant to Public Resources Code Section 21000 et seq. and CA Code of Regulations Section 15000 et seq.

	Mitigation measures are proposed to address aesthetics, agricultural resources, biological resources, public services/utilities, recreation, wastewater, and water and are included as conditions of approval. County File No: SUB2004-00064 / Tract 00-2629. APN: 026-261-036. Supervisorial District 1. Date Accepted: September 15, 2005.
Julie Eliason, staff	Presents staff report. Clarifies where lot split follows the creek.
Chairman Roos	Requests clarification on Condition 11, "Mitigations", and G14 road fee
Jim Orton, County Counsel	Clarifies this conditions origin.
Mike Goodwin, Public Works	Clarifies Condition regarding G14 road fees
Commissioner Gibson	Discusses any agricultural potential on the site.
Julie Eliason, staff	States almond grove has not been viable for years.
Commissioner Christie	Discusses Pg. 4-32 regarding vernal pools.
Julie Eliason, staff	Clarifies a lack of existence of vernal pools, and discusses position requirements.
John Nall, staff	Clarifies for the Commissioners Julie Eliason's position as also being a biologist as well as a Project Manager.
Tammy Clark, Vaughan Surveys	Agent to applicant. Discusses fees, landscape plan consideration, and Condition 15F.
Kami Griffin, staff	Addresses landscape plan conditioning.
Jim Orton, County Counsel	Requests clarification for landscape plan conditioning with staff responding.
Commissioner Gibson	Discusses easements and CDF sign up.
Commissioner Christie	Discusses further fracturing of historic lands and her concerns regarding agricultural zoning thereof.
John Nall, staff	Addresses Negative Declaration, APCD's response to referral by the department of Planning & Building, and lack of requirement for mitigation.
Commissioner Gibson and Tim McNulty, County Counsel	Discuss mitigation requirements from CEQA level of significance, and cumulative impacts on the environment,
John Nall, staff and Commissioners	Discuss APCD's concerns with cumulative impacts, interpretation of APCD's decision, originating zoning requirements, and Adelaida Area Plan update.

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Commissioners and staff	Fully discuss cumulative impacts.
MOTION	By Commissioner Christie to deny project based on impacts to air quality, agriculture, and traffic, dies for lack of second.
MOTION	Thereafter on motion by Commissioner Gibson, seconded by Chairman Roos with Commissioner Christie voting No, to adopt the Negative Declaration prepared for the item pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. and RESOLUTION NO. 2005-048 granting a Vesting Tentative Tract Map to DONNA GROSSNICKLAUS based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B as amended, adopted.
5. ROBERT AND KIMBERLY LORANCE / S020164T	This being the time set for hearing to consider a request by ROBERT AND KIMBERLY LORANCE for a Reconsideration to allow adjustment to road improvement requirements for Tentative Tract 2467 to reduce the paved section of road and allow steeper cut slopes in order to reduce the number of oak trees impacted by the road improvement. The proposed project is within the Residential Suburban land use category and is located at the northeast corner of the intersection of Villa Lots Road and Wild Rose Lane, immediately north of the City of Paso Robles in the Salinas River planning area. The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted. County File No: S020164T. APN: 018-011-004. Supervisorial District: 1. Date Accepted: August 18, 2005.
James Caruso, staff	Presents staff report.
Commissioners and staff	Discuss Villa Lots road access.
Mike Goodwin, Public Works, staff, and Commissioners	Discuss 18-foot road improvement not meeting county standard for this particular subdivision.
Paul Ryker, agent	Engineering Development Associates. Discusses tree removal, road widths, and impacts should a road be widened.
Commissioner Christie	Requests clarification on the number of oak tree losses and replacement thereof.
Paul Ryker, agent	Clarifies tree removal and replacement, and reasoning for widening road.

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MOTION	Thereafter on motion by Commissioner Gibson, seconded by Commissioner Christie, and carried, to rely on the previously adopted Negative Declaration, and RESOLUTION 2005-049 granting a Reconsideration to allow adjustment to road improvement requirements for Tentative Tract 2467 based on the Findings in Exhibit A and subject to the revised Conditions 30 and 34 L. in Exhibit B, adopted.
2. GRAY TRUST (MID-STATE PROPERTIES / S010354U / TRACT 02-2441	Continued Hearing to consider a request by the GRAY TRUST (MID-STATE PROPERTIES) for a Tentative Tract Map and Conditional Use Permit to allow for a planned development to subdivide an approximate 3.8-acre parcel into 39 lots ranging from 2,600 to 5,280 square feet each, and allow for grading and construction of 38 single-family residences, a pocket park, an underground stormwater detention basin, and three on-site streets, which will result in the disturbance of the entire parcel. The project includes the creation of three connected streets and off-site street improvements to Grande Avenue and Blume Street, within the Residential Multi-Family land use category at the northeast corner of Grande Avenue and Blume Street in the community of Nipomo, in the South County (Inland) planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. Mitigation measures are proposed to address agricultural resources, air quality, geology, public services, recreation, transportation/circulation and water supply County File Number: S010354U / TRACT 02-2441 . APN: 092-130-049. Supervisorial District: 4. Date Accepted: December 2, 2004.
James Lopes, staff	Brings back Findings from Gray Trust which was previous heard during the morning session.
Commissioners	Review revised Findings.
MOTION	Thereafter on motion by Commissioner Gibson, seconded by Commissioner Christie, with Chairman Roos voting No, and on the following roll call to wit: Ayes: Commissioners Gibson, and Christie, Noes: Chairman Roos, to deny the project based on the Finding in the revised Exhibit A and revised Exhibit C.
6. C.B.O. INC. / D990152P	This being the time set for hearing to consider a request by C.B.O. INC. for a third time extension of Minor Use Permit / Coastal Development Permit No. D990152P; a request to 1) remodel an existing 5,546 square foot commercial building (at 2150 Center Street); and 2) demolish an existing building and construct a 4,697 square foot commercial building (at 2164 Center Street). The project is located at 2150 and 2164 Center Street in the community of Cambria, in the Commercial Retail land use category. The site is in the North Coast planning area. This project relies on the previously adopted Negative Declaration. County File No: D990152P . APN: 013-262-001 & 002. Supervisorial District 2. Date Accepted: March 1, 2000.
Martha Neder, staff	Presents staff report.
Commissioner Gibson	Requests clarification regarding three parcels restricting oversight. Discusses parking, and access.

Commissioner Christie and staff	Discuss land use designations, overlying combining designations, and distinctions thereof
Clay Akee, applicant	Discusses complexities of project and compromises made.
Sharon Budge	States opposition of project.
Christopher Brazelton	Owner of business. States opposition of project as the conditions read at current time. Has a concern with warehousing.
Bruce Black	Retail business owner. States opposition to project.
Commissioner Christie	Requests clarification on Mr. Black's projections of mail order retail sales, and historical elements of the downtown district with Mr. Black responding.
Rick Low, agent	Discusses issues previously addressed.
Linda Finley	Resident of Cambria, and owner of art gallery. States opposition for project.
Clay Akey, applicant	Discusses issues brought forward during public comment. States there has been no previous opposition to his project, and no one has come forth to address these issues with him personally. Discusses references to building being referred to as a "warehouse". Explains another property he owns has been restored to historic value. States there will be no use of forklifts as said by opponents of project.
Chairman Roos and Commissioners	Requests clarification regarding CBO's manufacturing and retail sales with Mr. Akey responding. Discusses size of CBO as compared to size of surrounding businesses. Discusses other locations of CBO Inc. stores.
Chairman Roos	Requests clarification regarding landscaping request by public.
Jim Orton, County Counsel	Clarifies and discusses the original findings.
Commissioner Christie	Discusses her site visit, historical value of downtown Cambria as related to this project, original findings for project, original determinations by staff that this site is not a historical structure, cites a letter from the Office of Historic Preservation, and does not consider this project to be historically inclined.
Commissioner Gibson, County Counsel, and staff	Discuss a covenant agreement with counsel responding. Discusses Cambria Design Plan, appropriate scale of structural guidelines.
Commissioner Gibson	Gives reasoning as to why he will not support this request for a third time extension.

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TENTATIVE MOTION	Thereafter on tentative motion by Commissioner Gibson, seconded by Commissioner Christie, with Chairman Roos voting No, to deny the third time extension based on Exhibit A, the original Findings B., and the make-up of the business and mail order component are not in keeping with the character of its surroundings. Staff to return with written Findings based on the motion made.
7. MARK AND SALLY DIMAGGIO / No County File Number	This being the time set for a continued hearing to consider an appeal by MARK AND SALLY DIMAGGIO of a Planning Director Determination (Coastal Zone) that the keeping of three horses and the construction of associated structures within a Sensitive Resource Area –Terrestrial Habitat for the Cambria pine forest requires approval of a Minor Use Permit in accordance with Coastal Zone Land Use Ordinance Section 23.08.046c(1). The site is located within the Residential Suburban land use category and is located on the east side of the intersection of Burton Drive and Village Lane in the community of Cambria, in the North Coast Planning Area. An environmental determination is not required. County File No.: None
Matt Janssen, staff	Presents staff report, and revised findings.
Julie Eliason, staff	Discusses site visit and conclusions thereof.
Matt Janssen, staff	Discusses biologist's opinion of findings.
Commissioners and staff	Discuss zoning clearances, exclusion of fees, riparian vegetation, horsetail, wetland plants, and wetland delineations.
Mark Dimaggio, applicant	Discusses CDF requirements for mowing meadow and reasoning why it was not mowed, previous use of meadow used as grazing ground for cows in 1949, and proposed use of the property.
Gordon Hensley	SLO Coast-Keep representative. Discusses objections to Dimaggio's project due to site being mapped ESHA. Requests clarification on description of meadow. States concerns regarding well and enforcement issues.
Mark Dimaggio, applicant	Discusses clarifications of meadow vs. pasture description.
Commissioner Gibson	Discusses his support of current staff recommendations.
Commissioner Christie	States she will not support staff recommendations and gives reasoning.
MOTION	Thereafter on motion by Commissioner Gibson, seconded by Chairman Roos, with Commissioner Christie voting No, to uphold the applicant's appeal. Approved
Commissioner Christie	Clarifies her position in the dissenting vote, as she is not convinced that the area is not ESHA and believes this area to be a wetland.

6. C.B.O. INC. / D990152P	This being the time set for hearing to consider a request by C.B.O. INC. for a third time extension of Minor Use Permit / Coastal Development Permit No. D990152P; a request to 1) remodel an existing 5,546 square foot commercial building (at 2150 Center Street); and 2) demolish an existing building and construct a 4,697 square foot commercial building (at 2164 Center Street). The project is located at 2150 and 2164 Center Street in the community of Cambria, in the Commercial Retail land use category. The site is in the North Coast planning area. This project relies on the previously adopted Negative Declaration. County File No: D990152P. APN: 013-262-001 & 002. Supervisorial District 2. Date Accepted: March 1, 2000.
	Item re-visited to clarify Findings for Denial, and revisions thereof.
Chairman Roos	Requests revised Findings are read into the record.
Jim Orton, County Counsel	States he found the covenant and agreement in the C.B.O. file which indicates that it was revised on July 22, 2005, and notarized on August 8, 2005, however, has not yet been signed by the trustee/beneficiary and therefore not ready to be recorded.
Martha Neder,	Reads revised findings for denial of Item 6 into the record.
Commissioners and staff	Discuss concerns with Item 6 / CBO and applicant's reasoning for third time extension.
MOTION	Thereafter on motion by Commissioner Gibson, seconded by Commissioner Christie, and carried, with Chairman Roos voting No, in the absence of Commissioners Rappa and Mehlschau, to deny the third time extension, based on the Findings in Exhibit A, striking the Finding that conditions were beyond the applicant's control, and based on the Finding that the proposed project is incompatible with the immediate surroundings due to the mail order component of the business and based on Conditions in Exhibit B.
MOTION	Thereafter on motion by Chairman Roos, seconded by Commissioner Gibson, and carried, to take all materials and correspondence submitted today into the record.
Adjourned	

Respectfully Submitted,
 Ramona Hedges
 Planning Commission Secretary Pro Tem